

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DANIEL CORMIER,

Petitioner,

v.

JAMES SABA,

Respondent.

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**Civil Action No.
10-10962-FDS**

ORDER ON CERTIFICATE OF APPEALABILITY

SAYLOR, J.

The motion of petitioner Daniel Cormier for a certificate of appealability from the Court's order of June 21, 2013, denying petitioner's motion to vacate his sentence under 28 U.S.C. § 2254 is DENIED.

A Certificate of Appealability will issue only if the petitioner "has made a substantial showing of the denial of a constitutional right." § 2253(c)(2). This standard is satisfied by "demonstrating that jurists of reason could disagree with the district court's resolution of [petitioner's] constitutional claims or that jurists could conclude the issues presented are adequate to deserve encouragement to proceed further." *Miller-El v. Cockrell*, 537 U.S. 322, 327 (2003) (citing *Slack v. McDaniel*, 529 U.S. 473, 484 (2000)). That standard has not been satisfied here, as the Court concludes that jurists of reason could not disagree with the resolution of petitioner's constitutional claims and would not conclude that the issues presented are adequate to deserve encouragement to proceed further.

So Ordered.

/s/ F. Dennis Saylor
F. Dennis Saylor IV
United States District Judge

Dated: August 6, 2013